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Annual report of the United Nations High Commissioner for Human Rights and reports of the Office of the High Commissioner and the Secretary-General

Written statement* submitted by the Organization for Defending Victims of Violence, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[21 August 2018]

* Issued as received, in the language(s) of submission only.

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Trump and Violation of Human Rights

Seven decades have passed since the signing of the Universal Declaration of Human Rights. The record of the human rights activists and defenders over these years have been full of ups and downs, and several campaigns, the results of which has been the turning of human rights into the international relations discourse of today's world. The strengthening of international organizations, the promotion of the status of international law, reduction in the domination of governments on the subject of human rights are all the fruits of the achievements of human rights defenders and promoters. Nonetheless, today's world is faced with many threats in the field of human rights.

One of these threats which causes the concern of human rights activists, is the adoption of policies, practices and approaches made by the President of the United States of America, Donald Trump. This is to such an extent that in their reports the UN High Commissioner for Human Rights and many officials and human rights activists have pointed out the effects that Trump's actions and positions have on the violation of human rights, and have warned that Trump's human rights violations are not limited to within the United States' borders and other countries and people in the world are affected by them.

Trump's Human Rights Violations in the United States

(a) Threats against human rights defenders

Ms. Maro Vilapando being threatened with expulsion by the United States government is a blatant violation of human rights. As a human rights defender Ms. Maro has been threatened with expulsion for launching a campaign on human rights violations in migrant detention centres.

(b) Violation of the indigenous people

Trump's executive order for the exploitation of protected Native American reservations lands which the previous Administration had set up, will cause problems for the rights of the future generations in America. This is while the United States government must implement its commitment to consultation and cooperation in good faith with the Natives.

(c) The impunity policy towards the crime of torture by United States government officials

The failure to prosecute individuals linked to torturing suspects detained by the Central Intelligence Agency, has placed this country in the list of countries in blatant violation of the International Convention against Torture. This is while the United States joined the Convention in 1994. The torture ban principle is one of the fundamental norms of international law and its violation is deemed as one of the worst international crimes which include crimes against humanity and war crimes, and no scenario can justify torture.

According to human rights organizations reports, issuing of disproportionate and harsh judicial sentences to criminal, police brutality against African Americans, bad conditions of youths in the criminal justice system, the inhuman and terrible conditions of detention centres and prisons, the existence of notable obstacles for all individuals of society to vote, bad drug combatting policies, the violation of foreigners rights, inattention to the aspects of workers' rights in the Labor Act, rise in physical and sexual violence against women and human rights violations in the texts of national security policies are some of the most important negative aspects which Donald Trump has fuelled inside America.

Effects of the Approach and Practice of Donald Trump in Violation of Human Rights at the International Level

1 – Spreading of extremist, racist and xenophobic ideologies

Extremist ideologies that are the origins of terrorism, are as a result of the suppression of freedom seeking ideologies. The adoption of racist approaches which are promoters of violence, xenophobia and Islamophobia, is very clear in some instances in Trump's speeches and tweets. Spokesperson for the UN High Commissioner for Human Rights, Rupert Colville speaking about Trump's remarks on migrants from Nicaragua and Haiti, called them shocking and shameful, and deemed it as a symbol of racism. Trump's remarks in legitimising and encouragement of racism and xenophobia has aimed Mankind in the worst possible way.

2 – Influencing international mechanisms

World powers' – such as the United States of America – influences on international mechanisms have affected the protection of human rights. The battle of the world powers' influences have crippled the Security Council in its performance of duties in the preservation of international peace.

3 – Spread of militarism.

The policies of the United States President, has turned this country into a militarism promoting country in the world. In his speech as the Jacob Blaustein Institute the UN High Commissioner for Human Rights deemed United States spreading of militarism a threat against human rights.

3 – Undermining of international organizations through America leaving international organizations and multilateral agreements

One of the main mechanisms for the promotion and protection of human rights is the expansion of international organizations and treaties. Not only these prevent the violation of human rights, but they directly have a role in the preservation of peace and reduce the possibility of outbreak of war. But now, since Trump's taking Office, the United States has left important treaties and organizations.

4 – Trans-Pacific Partnership (TPP)

On 22 November 2016 the United States announced its departure from the Trans-Pacific Partnership. This treaty was the result of 7 years of talks between the United States and 11 other countries of the Pacific region which covers a population of over 800 million, and its coverage directly affected 40 percent of global trade.

5 – The Paris Climate Accord

On 1 June 2017 the United States announced that it was leaving the Paris Climate Accord. The Paris Accord as signed in 2015 following years of talks and negotiations between 195 countries of the world to reach a universal agreement for the fight against climate change.

According to this agreement the United States made a commitment to by 2025 to reduce its greenhouse gases emissions by 26-28 percent compared to 2005, and to donate 3 billion dollars as aid to weaker countries for the fight against climate change.

6 – UNESCO

On 12 October 2017 the United States announced that it was leaving UNESCO.

UNESCO works towards the preservation of cultural heritage and also helps countries to make educational, scientific, cultural and training advancements. What is interesting here is that the United States was one of its main founders following the end of the Second World War.

The reason behind the United States leaving UNESCO Executive Council is the 26 October resolution regarding the halting of seizure of properties and constructions by the Israeli government as the occupation government in Palestine.

7 – New York Declaration for Refugees and Migrants

On 2 December 2017 the United States announced that it was leaving the New Yor Declaration for Refugees and Migrants.

In 2016 this Declaration was signed by 193 UN Member States so that Member States could provide rights such as housing, education and employment for refugees.

8 – Joint Comprehensive Plan of Action (JCPOA)

On 8 May the United States government announced that it was leaving the Islamic Republic of Iran nuclear deal. The JCPOA is an international agreement on the Iranian nuclear programme which was signed on 14 July 2015 between Iran and the 5+1 countries (the United States, the Russian Federation, China, France, the United Kingdom of Great Britain and Northern Ireland and Germany).

9 – The UN Human Rights Council

On 20 June 2018 the United States announced that it was leaving the UN Human Rights Council. America's exit from international organizations is a fundamental violation the country's legal commitments according the UN Charter.

Recommendations

As a human rights NGO, the ODVV expresses its concern over Trump's undermining actions against human rights and international law, and calls upon the Human Rights Council to stand against it.